

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
LIANG CHIH TANG,
Defendant.

CASE NO. 05-428 M

DETENTION ORDER

Offenses charged in the District of New Jersey:

Count 1: Conspiracy to Smuggle Cigarettes into the United States, Traffic in Goods Bearing Counterfeit Marks, and Traffic in Counterfeit Cigarettes, in violation of Title 18, U.S.C., Sections 2342(a) and 371;

Count 3: Smuggling Counterfeit Cigarettes, in violation of Title 18, U.S.C.,
Sections 545 and 2;

Count 7: Trafficking in Goods Bearing Counterfeit Marks, in violation of Title 18, U.S.C., Sections 2320(a) and 2; and

Count 13: Trafficking in Contraband Cigarettes, in violation of Title 18, U.S.C., Sections 2342(a) and 2.

Date of Detention Hearing: August 29, 2005.

The Court conducted both an uncontested detention hearing pursuant to Title 18 U.S.C. § 3142(f) and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court of the District of New Jersey to answer the charges.

The detention hearing was uncontested, and the defendant may address the issue

1 of detention in New Jersey. Moreover, based upon the factual findings and statement of
2 reasons for detention hereafter set forth, the Court finds that no condition or combination of
3 conditions which the defendant can meet will reasonably assure the appearance of the
4 defendant as required and the safety of any other person and the community. The
5 Government was represented by Douglas Whalley. The defendant was represented by
6 Robert Gombiner.

7 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

- 8 (1) The defendant poses a risk of non-appearance as his background and ties
9 to this district and the District of New Jersey are unknown; he has a
10 history of failing to appear; and he has an extraditable outstanding felony
11 warrant verified by the Clark County District Attorney's Office in Nevada.
12 (2) Due to the nature and seriousness of the crime alleged, combined with the
13 defendant's active felony warrant and unknown background, release of the
14 defendant would pose a risk to the community.
15 (3) The defendant stipulated to detention.

16 Thus, there is no condition or combination of conditions that would reasonably assure
17 future court appearances.

18 **It is therefore ORDERED:**

- 19 (1) Defendant shall be detained pending trial and committed to the custody of
20 the Attorney General for confinement in a correctional facility separate, to
21 the extent practicable, from persons awaiting or serving sentences, or being
22 held in custody pending appeal;
23 (2) Defendant shall be afforded reasonable opportunity for private
24 consultation with counsel;
25 (3) On order of a court of the United States or on request of an attorney for the
26 Government, the person in charge of the correctional facility in which

1 Defendant is confined shall deliver the defendant to a United States
2 Marshal for the purpose of an appearance in connection with a court
3 proceeding; and

- 4 (4) The clerk shall direct copies of this order to counsel for the United States,
5 to counsel for the defendant, to the United States Marshal, and to the
6 United States Pretrial Services Officer.

7 DATED this 31st day of August, 2005.

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11 MONICA J. BENTON
12 United States Magistrate Judge